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REPORT OF THE SECRETARY-GENERAL PURSUANT TO SECURITY COUNCIL RESOLUTIONS 982 (1995) AND 987 (1995)

I. INTRODUCTION

1. In paragraph 11 of its resolution 982 (1995) of 31 March 1995, the Security Council requested the Secretary-General to report, within eight weeks of the adoption of that resolution, on any developments on the ground, the attitude of the parties and other circumstances affecting the mandate of the United Nations Protection Force (UNPROFOR), taking into account the concerns raised by members of the Council and issues raised by the Government of the Republic of Bosnia and Herzegovina on the implementation of the mandate of UNPROFOR. In the latter context, it will be recalled that the President of Bosnia and Herzegovina himself had proposed, in a letter addressed to me on 22 March 1995 (S/1995/216), that the Council should undertake a thorough debate on UNPROFOR's role.

2. Subsequently, in its resolution 987 (1995) of 19 April 1995, the Security Council invited the Secretary-General to submit, on an urgent basis, proposals on any measures that could be taken to prevent attacks against UNPROFOR and its personnel and allow it to perform its mission effectively.

3. As the mandate, the attitude of the parties and the security and safety of UNPROFOR are inextricably interlinked, I have decided to combine my responses to those two resolutions in a single report. Dramatic developments have taken place on the ground since resolution 982 (1995) was adopted and these are described in section II below, which contains information available to United Nations Headquarters in New York up to midday New York time on 30 May 1995.

4. Given that a decision on options for change in UNPROFOR needs to be preceded by an examination of the Force's current role, section III of the report analyses each of the tasks entrusted to UNPROFOR by the Council, examines the extent to which the Force is currently able to implement these tasks and identifies what further resources or different procedures would be required for its full implementation, assuming a continuing lack of cooperation by the parties. Section IV discusses, in the light of that analysis, the Force's possible future role. Section V contains my observations and presents four options for the Council's consideration.

5. In preparing the report, I have borne in mind the sentiment expressed to me in recent weeks by a number of Member States, including members of the Security Council and troop-contributing countries, that the United Nations should remain engaged in Bosnia and Herzegovina and that, to make this possible, its existing mandate and/or the way in which it implements that mandate should be adapted. The Member States concerned have made clear that they hold this view notwithstanding the apparent decision of the parties to revert to war, as reflected in many of their actions before and since the expiry on 1 May 1995 of the cessation-of-hostilities agreement of 31 December 1994.

II. RECENT DEVELOPMENTS IN SARAJEVO

6. The Sarajevo agreement of February 1994 and the related exclusion zone and weapons collection points facilitated the removal or placement under United Nations control of heavy weapons and were successful in reducing the threat to civilians in the city. The frequency and intensity of fighting along the confrontation line was also reduced to periods of sniping, although machine-guns and anti-tank weapons were employed from time to time. The heavy weapons agreement remained effective, despite occasional violations, as long as both parties refrained from challenging UNPROFOR's limited supervisory capability on the ground and quickly rectified any violations. From the outset, it was clear that recourse to air power in response to violations could lead to serious consequences for UNPROFOR as a whole.

7. During the first year of the agreement, Bosnian Serb forces occasionally removed heavy weapons from United Nations-monitored weapons collection points. With the exception of one incident on 5 August 1994 that required limited use of air power, UNPROFOR was able to rely on negotiations to obtain the return of these heavy weapons. However, the continued lack of diplomatic progress and the breakdown in March 1995 of the 31 December 1994 cessation-of-hostilities agreement caused fighting to spread from the Bihac area to central Bosnia and Tuzla and then to Sarajevo. Bosnian Serb forces increased pressure on the city, by harassing convoys, hijacking United Nations vehicles, closing the airport to humanitarian and civilian traffic, sniping and firing heavy weapons at the Mount Igman road. Government forces were also responsible for a number of incidents.

8. Fighting around the city further intensified after the cessation-of-hostilities agreement expired on 1 May 1995, despite the persistent efforts of my Special Representative to obtain its renewal. Snipers targeted UNPROFOR personnel on a number of occasions. Bosnian Serb attempts to deny use of the Mount Igman road led to a mortar attack on 7 May 1995 that killed 10 military and civilian persons and wounded 30. This incident, and increased fighting in Sarajevo the following day, the heaviest the city had experienced since February 1994, again caused my Special Representative to consider using air power. The decision not to do so was criticized by some Member States. On 16 May 1995, government and Serb forces engaged in heavy fighting around key features that dominate both the city and the Serb-controlled road to Pale. This fighting escalated in intensity, leading to the sustained use of heavy weapons by the two sides, increased civilian and UNPROFOR casualties and mounting calls for stricter enforcement of the exclusion zone. Although UNPROFOR managed to restore some stability, tension continued.

9. On 22 May 1995, Bosnian Serb forces removed two heavy weapons from a weapons collection point. On 24 May 1995, fighting erupted again, with the Serbs firing heavy weapons from within a number of weapons collection points and the government forces firing from various positions within the city. Bosnian Serb forces removed three more weapons from weapons collection points. Tanks and rocket launchers were also reported within the heavy weapons exclusion zone. Sixteen civilians and military personnel were killed and at least 60 wounded. As previous measures had failed to restore respect for the heavy weapons agreement, and as neither side appeared ready to stop fighting, UNPROFOR decided to use all available means to restore compliance with the February 1994 agreement.

10. Late on 24 May 1995, my Special Representative issued a statement emphasizing the seriousness of the situation. This was followed by a warning by the Commander of UNPROFOR to the Bosnian Government and the Bosnian Serb party that their forces would be attacked from the air if all heavy weapons did not cease firing by 1200 hours the next day. Four heavy weapons removed from weapons collection points by the Serbs were also to be returned at the same time. A second deadline, 24 hours later, was established for the removal out of range, or the placement in weapons collection points, of all heavy weapons that had been introduced into the area by the two sides. When issuing this warning, UNPROFOR recognized that non-compliance would require a strong response and that a significant risk to exposed UNPROFOR personnel was likely to result.

11. While all possible protective measures were taken, UNPROFOR had no alternative but to continue its mandated tasks. In any case, many observation posts and weapons collection points were located in Serb-held areas and already subject to strict and detailed control of movement by the Bosnian Serbs. Although it was possible to improve local defences and to suspend resupply convoys, large numbers of exposed personnel could not be withdrawn because of the overriding requirement to maintain observation and liaison. It would also have made little sense to conduct air strikes to achieve the return of a few heavy weapons if the United Nations had no personnel at the weapons collection points to monitor their return; nor would it have made sense to abandon the hundreds of weapons in other sites.

12. The first air strike took place at 1620 hours on 25 May 1995, as a result of the failure of the Bosnian Serbs to respect the deadline for the return of heavy weapons. The target, limited to two bunkers within an ammunition dump near Pale, was selected in order to make an effective strike while reducing the risk of casualties or unnecessary collateral damage. After the strike, Bosnian Serb forces surrounded a number of weapons collection points. All safe areas, except Zepa, were shelled, resulting in particularly heavy casualties in Tuzla, where some 70 civilians were killed and over 130 injured. As the Serbs had again employed heavy weapons around Sarajevo and had still failed to return the missing weapons to weapons collection points, a second attack on the six remaining bunkers in the Pale ammunition dump was conducted at 1030 hours on 26 May 1995. Bosnian Serb forces reacted by surrounding additional weapons collection points, taking United Nations military observers into custody and using a number of them as human shields to deter further air attacks on potential targets and by cutting electricity to the city.

13. Constraints on observation from both the ground and the air made it difficult to verify compliance by both sides with the requirement to clear heavy weapons from the exclusion zone by 1200 hours on 26 May 1995. Relative calm had returned to the city. The situation with respect to UNPROFOR detainees was uncertain and dangerous. For all these reasons, it was decided to review the situation before considering further military action.

14. On 27 May 1995, the Serbs seized an UNPROFOR observation post at the Vrbanja bridge in Sarajevo and detained some United Nations soldiers. The position was recaptured by UNPROFOR at the cost of 2 dead and 14 wounded. There were also Serb casualties. The same day, it became apparent that some UNPROFOR detainees were being moved to other locations. The next day, Bosnian Serb forces detained additional UNPROFOR personnel whose movements had been blocked following the air strikes or who were necessarily deployed at exposed locations in the Gorazde area. As of 30 May 1995, UNPROFOR reported that 199 personnel were detained by the Bosnian Serb forces, many of them in humiliating circumstances and in violation of international norms of military conduct, and that a further 224 were at locations where access and movement were being denied by those forces.

15. Relative calm currently prevails in Sarajevo but this has been achieved at an unavoidable but high cost in detained personnel and in the complete isolation of United Nations forces in the Sarajevo area. UNPROFOR has also lost control over heavy weapons in collection points from which its personnel have been removed and is subjected to further restrictions on its freedom of movement. There has been a complete breakdown in negotiations to reopen Sarajevo airport and utilities are again being cut. The problem of resupply in Sarajevo and the eastern enclaves has been further aggravated. Finally, the ability of United Nations forces to operate effectively, efficiently and safely throughout much of Bosnia and Herzegovina, on the basis of impartiality and the consent of all parties, is now seriously compromised.

III. ANALYSIS OF THE MANDATE OF THE UNITED NATIONS PROTECTION FORCE IN BOSNIA AND HERZEGOVINA

A. General

16. Since the start of its deployment in Bosnia and Herzegovina, UNPROFOR's mandate has been plagued by ambiguities that have affected the Force's performance as well as its credibility with the parties, with the members of the Security Council and with the public at large. UNPROFOR is not a peace-enforcement operation and some confusion has arisen as a result of references to Chapter VII of the Charter of the United Nations in some Security Council resolutions relating to its mandate, particularly as regards the use of force other than in self-defence. Many of the concerns raised by members of the Council and the Government of the Republic of Bosnia and Herzegovina on the implementation of the mandate reflect this confusion. The analysis that follows therefore pays particular attention to Security Council resolutions containing a reference to Chapter VII. It should be read in conjunction with the detailed analysis previously submitted to the Council in my report of 16 March 1994 (S/1994/300).

17. It will be recalled that, in response to a request from the Security Council, I explored the feasibility of a United Nations peace-keeping operation in Bosnia and Herzegovina at the earliest stages of the conflict in that country. In my report of 12 May 1992 (S/23900), I concluded that the conflict was not "susceptible to the United Nations peace-keeping treatment" because of a lack of agreement between the parties. I added that the disrespect for United Nations peace-keepers manifested by the warring factions was already at such a level that "these are not conditions which permit a United Nations peace-keeping operation to make an effective contribution". The Council did not at that time proceed with the deployment of a United Nations peace-keeping operation in Bosnia and Herzegovina.

18. As the conflict continued, however, the Council, in its resolution 757 (1992) of 30 May 1992, determined that the situation in Bosnia and Herzegovina and in other parts of the former Socialist Federal Republic of Yugoslavia constituted a threat to international peace and security, and, acting under Chapter VII of the Charter, imposed comprehensive mandatory economic sanctions against the Federal Republic of Yugoslavia (Serbia and Montenegro). It also demanded that "all parties and others concerned create immediately the necessary conditions for unimpeded delivery of humanitarian supplies to Sarajevo and other destinations in Bosnia and Herzegovina, including the establishment of a security zone encompassing Sarajevo and its airport ...". The Council requested that I continue to use my good offices in order to achieve these objectives and invited me to keep under continuous review any further measures that could become necessary to ensure unimpeded delivery of humanitarian supplies.

B. Good offices, liaison and negotiation

19. Shortly thereafter, the Security Council began to request the Secretary-General and UNPROFOR to use their good offices to assist the parties to end the fighting and settle their differences by peaceful means. Such requests have since been repeated at frequent intervals (see, for instance, resolution 758 (1992), para. 9; resolution 764 (1992), para. 9; resolution 908 (1994), para. 13; resolution 959 (1994), paras. 5 and 6, etc.).

20. This task has throughout been a priority for UNPROFOR and has accounted for much of the time of my Special Representative and his senior staff. Considerable successes have been achieved, beginning with the Sarajevo airport agreement of 5 June 1992. Unfortunately, UNPROFOR has had less success in subsequently persuading the parties to honour their commitments, as will be evident from the following subsections of the present report. This task will nevertheless continue to be one of the most important entrusted to a continuing United Nations peace-keeping operation in Bosnia and Herzegovina.

C. Sarajevo airport

21. Following the agreement on the reopening of Sarajevo airport, the Council approved, in its resolution 758 (1992), my recommendation to deploy UNPROFOR at

the airport, with no reference to Chapter VII of the Charter. Resolution 761 (1992), which authorized the actual deployment, again made no reference to Chapter VII. However, the Council demanded that all parties and others concerned cooperate fully with UNPROFOR and international humanitarian agencies and organizations and take all necessary steps to ensure the safety of their personnel. In the absence of such cooperation, the Council did not exclude the possibility of taking other measures to deliver humanitarian assistance to Sarajevo and its surrounding areas. The deployment of UNPROFOR to Sarajevo airport was, therefore, based on an agreement and conducted under normal peace-keeping rules and procedures.

22. It will be recalled from paragraph 18 of document S/1994/300 that UNPROFOR's mandate related to Sarajevo airport was:

(a) To ensure the immediate security of the airport and its installations;

(b) To supervise the operation of the airport and control its facilities and organization, including local civilian personnel;

(c) To facilitate the unloading of humanitarian cargo and ensure the safe movement of humanitarian aid and related personnel through the establishment of security corridors between the airport and the city;

(d) To verify the withdrawal of anti-aircraft weapons systems from within range of the airport and its approaches and monitor the concentration of artillery, mortar and ground-to-ground missile systems in specified areas to be agreed upon.

23. The airlift into Sarajevo organized by the Office of the United Nations High Commissioner for Refugees (UNHCR) has become the longest lasting such airlift in aviation history. It has succeeded in delivering more than 150,000 tons of humanitarian relief to the people of Sarajevo and has been an important means of meeting UNPROFOR's logistic needs in that city. However, deteriorating conditions in recent weeks have brought about a situation in which UNPROFOR, denied the cooperation of the parties, is no longer able to ensure the security of the airport and its installations or the uninterrupted continuation of humanitarian operations there. Comparative figures for the number of flights and tons of humanitarian relief delivered in the months of March and April 1993, 1994 and 1995 are as follows:

	March/April 1993	March/April 1994	March/April 1995
Flights flown	500	746	241
Tons delivered	5 273	9 934	4 303

24. The principal threat to the security of the airport has been the frequent firings at aircraft using it, mainly by the Bosnian Serb side but also on several occasions by the Bosnian Government side. Unless both sides resume

cooperation with UNPROFOR's operations at the airport and desist from firing at aircraft using it, UNPROFOR could ensure its security only by taking military action to deter the use of, or destroy, the weapons concerned. As these are mostly mortars and heavy machine-guns that are easily concealed and quickly moved, this objective could be achieved only by deploying large numbers of ground troops with a mandate to use force against elements believed to be involved in attacks against the airport. The only practical means of keeping the airport functioning, therefore, is to obtain the consent and cooperation of the parties.

D. Humanitarian convoy protection

25. With the further deterioration in the humanitarian situation in Sarajevo and other parts of Bosnia and Herzegovina during the period immediately following the deployment of UNPROFOR to Sarajevo airport, the Council, in its resolution 770 (1992) of 13 August 1992, acting under Chapter VII of the Charter, called upon "States to take nationally or through regional agencies or arrangements all measures necessary to facilitate in coordination with the United Nations the delivery by relevant United Nations humanitarian organizations and others of humanitarian assistance to Sarajevo and wherever needed in other parts of Bosnia and Herzegovina". This resolution, which was directed at Member States, did not create any additional mandate for UNPROFOR.

26. Following the adoption of that resolution, a number of Member States proposed that the function identified in it could be added to the mandate of UNPROFOR, operating in accordance with the established principles and practices of United Nations peace-keeping operations. After the London Conference of August 1992, it was agreed by potential troop contributors that, instead of proceeding with the implementation of resolution 770 (1992), they would contribute troops to UNPROFOR for this purpose under a new resolution. In my report of 10 September 1992 (S/24540), I noted that, "in providing protective support to UNHCR-organized convoys, the UNPROFOR troops concerned would follow normal peace-keeping rules of engagement. They would thus be authorized to use force in self-defence". I explained that, in this context, self-defence was deemed to include situations in which armed persons attempted by force to prevent United Nations troops from carrying out their mandate. I also pointed out that it was essential that all parties uphold the undertakings they had made and cease forthwith their attacks on United Nations personnel and property. Should this not occur, I suggested that the Council would have to consider what further steps might be necessary to ensure UNPROFOR's security and enable it to fulfil its mandate. The Security Council approved my report in its resolution 776 (1992) and authorized the enlargement of UNPROFOR, without citing Chapter VII of the Charter or authorizing "all measures necessary".

27. It will be recalled from paragraph 20 of document S/1994/300 that UNPROFOR's mandate related to the protection of humanitarian activities has included the following tasks:

(a) To provide support to the efforts of UNHCR to deliver humanitarian relief throughout Bosnia and Herzegovina, particularly through the provision of convoy protection when so requested;

(b) To provide protection for other humanitarian agencies with the approval of UNHCR;

(c) To protect United Nations facilities, including UNHCR storage centres, if so requested;

(d) To provide protection for convoys of released detainees on request by the International Committee of the Red Cross (ICRC) and with the concurrence of the Force Commander that the request is practicable.

28. These tasks have continued to constitute the main demands on UNPROFOR's time and resources in Bosnia and Herzegovina. The difficulties impeding their full implementation have been fully described in many previous reports to the Security Council. They centre essentially on the refusal by the various parties, but especially by the Bosnian Serbs, to respect UNPROFOR's freedom of movement and their readiness in some areas to use humanitarian assistance as a means of furthering their war aims. This can take the form of denying such assistance to populations that the party concerned is trying to drive from their homes. It can also take the form of seizing a proportion of humanitarian cargoes for the party's own use. In spite of these difficulties, UNHCR and UNPROFOR have been successful in meeting the humanitarian requirements in most parts of Bosnia and Herzegovina. As the following table shows, it is mainly in Bihac, and more recently in Sarajevo, that non-cooperation by the parties has caused major shortfalls in delivery of the targeted assistance:

Percentage of targeted assistance delivered in various areas of Bosnia and Herzegovina, January-April 1995

	Jan.	Feb.	Mar.	Apr.
Safe areas				
Sarajevo	132	119	71	64
Bihac	15	47	29	10
Tuzla	126	72	85	43
Gorazde	90	82	80	82
Srebrenica	87	71	71	81
Zepa	87	50	47	63
Bosnian Serb-controlled areas				
Eastern Bosnia	88	98	103	104
Banja Luka region	89	82	93	90
Federation-controlled areas				
Southern Bosnia and Herzegovina	94	72	86	89
Zenica region	114	52	92	65
Orasje region	95	69	96	100

29. Unless all concerned, and especially the Bosnian Serb party, respect the freedom of movement of UNHCR and UNPROFOR, there is little that UNPROFOR can do to ensure more effective implementation of the tasks assigned to it in the humanitarian field. The view expressed by some that the use of force by UNPROFOR, including the application of air power, would make it possible to "fight the convoys through" to the besieged safe areas across the confrontation lines overlooks two important factors: first, the vulnerability to reprisals of dispersed personnel of the United Nations and non-governmental organizations (NGOs) and, second, the fact that the Force has neither the mandate nor the military resources to initiate operations to ensure that no party could block the convoys' progress by any means. Military protection serves primarily to dissuade random or unorganized attacks; it cannot substitute for the consent and cooperation of the parties.

E. "No-fly zone"

30. Resolution 781 (1992) declared a ban on all military flights in the airspace of Bosnia and Herzegovina and mandated UNPROFOR to monitor compliance with it and to ensure that the purposes of flights to and from Bosnia and Herzegovina were consistent with Security Council resolutions. Resolution 816 (1993) expanded the ban on air activity and authorized Member States to take "under the authority of the Security Council and subject to close coordination with the Secretary-General and UNPROFOR, all necessary measures" to ensure compliance with it. Both resolutions were adopted under Chapter VII of the Charter. Since 12 April 1993, aircraft of the North Atlantic Treaty Organization (NATO) have, at my request, flown in the airspace of Bosnia and Herzegovina to enforce the no-fly zone.

31. UNPROFOR's role as regards this part of its mandate is confined to ground monitoring at selected airfields in the area; all action related to enforcement is undertaken by NATO. Despite a large number of violations by helicopters carrying personnel ("flying trucks"), the no-fly zone has been largely successful in discouraging the use of the airspace of Bosnia and Herzegovina for combat purposes. A recent exception, however, involved several sorties flown by the Croatian air force through Bosnian airspace to bomb positions in Sector West in Croatia.

F. Border monitoring

32. In resolutions 787 (1992) and 838 (1993) the Security Council asked me to consider adding to UNPROFOR's mandate the task of deploying monitors on the borders of Bosnia and Herzegovina to facilitate implementation of the arms embargo on all the republics of the former Socialist Federal Republic of Yugoslavia, the sanctions on the Federal Republic of Yugoslavia (Serbia and Montenegro) and the call for non-interference by outside forces in the conflict in Bosnia and Herzegovina. In my report of 1 July 1993 (S/26018), I recommended that, if UNPROFOR was to carry out this task in a credible manner, some 10,000 additional troops would be required. The report was not approved by the Council pending confirmation of the availability of troops and observers. Of the 10 Member States that were asked whether they could make these resources

available, only 2 were willing to provide a limited number of observers. Resolution 838 (1993) has therefore not been implemented. However, elements of border monitoring have been included in the mandate of the United Nations Confidence Restoration Operation in Croatia, known as UNCRO; these would include the monitoring of certain positions on Croatia's international border with Bosnia and Herzegovina.

G. Safe areas

33. The Security Council established a "safe area" for Srebrenica in its resolution 819 (1993). In resolution 824 (1993) it decided that Sarajevo, Tuzla, Zepa, Gorazde, Bihac and their surroundings should also be treated as safe areas. Although the Council acted under Chapter VII in both resolutions, that Chapter was cited in the context of resolution 815 (1993), which had referred to it in relation only to the security of UNPROFOR personnel. As a result, there was no enforcement component to the safe area concept at its inception. Resolution 836 (1993) referred to Chapter VII, but paragraph 9 defined the parameters for the use of force as being "in self-defence" and the mandate given to UNPROFOR did not include any provision for enforcement. It was as follows:

(a) To deter attacks against the safe areas;

(b) To monitor the cease-fire in the safe areas;

(c) To promote the withdrawal of military or paramilitary units other than those of the Bosnian Government from the safe areas;

(d) To occupy key points on the ground;

(e) To participate in the delivery of humanitarian relief to the population in the safe areas.

In my report of 14 June 1993 (S/25939) I informed the Council that approximately 34,000 additional troops would be required if deterrence through strength was to be obtained, but said that it would be possible to start implementing resolution 836 (1993) with a "light option" of about 7,600 troops, as an initial approach with limited objectives that assumed the consent and cooperation of the parties. In its resolution 844 (1993), the Council opted for the light option.

34. UNPROFOR has had mixed results in carrying out its responsibilities in the safe areas. When the consent and cooperation of the parties has been forthcoming, it has achieved considerable success. The presence of observers and patrols has enabled the Force to monitor cease-fires, stabilize confrontation lines and improve security by resolving localized disputes or outbreaks of fighting. Its military and civilian staff have also assisted in arranging medical evacuations, delivering and reporting on humanitarian aid, and brokering local agreements to improve the population's living conditions. Finally, the presence of even limited United Nations forces has enhanced security for international humanitarian workers and provided a capacity to

promote and supervise local withdrawals and other confidence-building arrangements.

35. However, UNPROFOR's ability to carry out its safe-area mandate and particularly to deter deliberate attacks on the areas has been severely limited by the inherent deficiencies of the safe-area regime, to which I have more than once drawn the Council's attention, most recently in my report of 1 December 1994 (S/1994/1389), and by the military activities of the two sides. In recent weeks these difficulties have increased as relations have deteriorated between the parties and the safe areas have been drawn into the intensifying conflict throughout the country.

36. It should be recalled that resolution 836 (1993) does not require the Government of the Republic of Bosnia and Herzegovina to withdraw its military or paramilitary units from the safe areas. However, the Council has, in presidential statements, made it clear that "provocative actions by whomsoever committed" were unacceptable (S/PRST/1994/14 and 57). As I emphasized in document S/1994/1389, the party defending a safe area must comply with certain obligations if it is to achieve the primary objective of the safe area regime, that is, the protection of the civilian population. Unprovoked attacks launched from safe areas are inconsistent with the whole concept.

37. In recent months, government forces have considerably increased their military activity in and around most safe areas, and many of them, including Sarajevo, Tuzla and Bihac, have been incorporated into the broader military campaigns of the government side. The headquarters and logistics installations of the Fifth Corps of the government army are located in the town of Bihac and those of the Second Corps in the town of Tuzla. The Government also maintains a substantial number of troops in Srebrenica (in this case, in violation of a demilitarization agreement), Gorazde and Zepa, while Sarajevo is the location of the General Command of the government army and other military installations. There is also an ammunition factory in Gorazde.

38. The Bosnian Serb forces' reaction to offensives launched by the government army from safe areas has generally been to respond against military targets within those areas, often at a disproportionate level. Notwithstanding the provocation, these acts of the Bosnian Serb forces violate the safe-area regime and other local agreements. The Serbs have also initiated unprovoked shelling of safe areas. In both cases civilian casualties have occurred. UNPROFOR's mandate to deter attacks upon the safe areas requires it to react to Serb actions, irrespective of whether the Serbs are responding to offensives launched by the other side. When they are doing so, however, the impartiality of UNPROFOR becomes difficult to maintain and the Force is seen as a party to the conflict, with resulting risks to isolated United Nations personnel.

39. UNPROFOR's capacity to carry out its safe-area mandate has also been affected by the Bosnian Serbs' denial of freedom of movement to and from the three eastern safe areas (Gorazde, Srebrenica, Zepa), as a result of which resupply of UNPROFOR personnel by road has become virtually impossible. UNPROFOR's stocks of fuel in these three safe areas have recently fallen to dangerously low levels. If the Bosnian Serb side persists in blocking resupply convoys, the only way to resupply UNPROFOR personnel in these three areas would

be by helicopter, which would involve considerable dangers and of which I would inform the Security Council.

40. As the inadequacy of UNPROFOR's current mandate as a means of ensuring tolerable conditions in the safe areas has become clearer, there has been increasing pressure on the Force to use air power to "protect" them. In my last report on the safe areas (S/1995/1389), I referred to a number of constraints that limit the use of air power as a deterrent (and it is to be remembered that deterrence is the only means UNPROFOR is mandated to use against attacks on the safe areas). The most significant of those constraints, highlighted in Bihac in November 1994, has been the introduction of air defence systems by the Bosnian Serb forces. As a result of this new threat, any use of air power at the present time must take into account the possible prior need, in advance of a contemplated air strike, to suppress air defence systems that threaten NATO aircraft. Such pre-emptive military action, while undeniably necessary to ensure the safety of the NATO aircraft, is inevitably considered by the Bosnian Serbs as a hostile act and can therefore take UNPROFOR beyond the limits of a peace-keeping operation and quickly make it a party to the conflict.

41. In the final analysis, the only effective way to make the safe areas, as well as other areas of Bosnia and Herzegovina, truly safe, pending a comprehensive political solution achieved through negotiations, is to define a regime acceptable to both parties and to promote mutual respect for the arrangements to which, in the case of three of the safe areas, they have agreed. The use of force is an imperfect instrument to achieve that objective. In this context I again invite the Council to give consideration to the recommendations in my reports of 9 May 1994 (S/1994/555) and 1 December 1994 (S/1994/1389). In the latter report, I particularly emphasized the need to demilitarize the safe areas and thus establish a regime that would be in line with the Geneva Conventions of 12 August 1949 and the Additional Protocols thereto of 1977, which have gained general acceptance in the international community.

H. Monitoring of the cease-fire within the Federation

42. Following the signature on 23 February 1994 of a cease-fire agreement between the Chiefs of Staff of the Army of Bosnia and Herzegovina and the Croatian Defence Council, UNPROFOR, pursuant to Security Council resolution 908 (1994), assumed the following additional tasks:

(a) To monitor the cease-fire along the confrontation lines with patrols and observation posts;

(b) To establish heavy weapons collection sites;

(c) To monitor the heavy weapons that were not being handed over;

(d) To monitor the exclusion zone to prevent any return of heavy weapons;

(e) To transport and protect prisoners during exchanges;

(f) To assist in repairs to utilities.

Except for minor incidents, this cease-fire has been widely respected and the presence and good offices of UNPROFOR on both sides of the cease-fire line have greatly contributed to stabilizing the situation within the Federation and to building confidence between the two communities.

I. Sarajevo

43. Among the safe areas, Sarajevo has received particular attention from the Security Council. Following the cease-fire that came into effect in the city on 8 February 1994, the Security Council, acting under Chapter VII, adopted resolution 900 (1994), which gave UNPROFOR a number of additional tasks related to the normalization of life in the city, as follows:

(a) To help the parties to achieve complete freedom of movement of people and goods to, from and within Sarajevo, to remove any hindrance to such freedom of movement and to help to restore normal life to the city;

(b) Through the office of the Special Coordinator for Sarajevo, to assist in the normalization of life.

44. Initially, UNPROFOR was able to take advantage of resolution 900 (1994) to mediate various agreements with the parties, notably on the opening of two routes across Sarajevo airport for civilian traffic and humanitarian goods. These routes were extensively used by both parties from March to July 1994 and from January to March 1995, during which times they contributed greatly to a relative normalization of life. UNPROFOR also mediated an anti-sniping agreement and, in March 1994, an agreement for the use of the routes across Mount Igman for civilian and humanitarian traffic. The Office of the Special Coordinator for Sarajevo made considerable progress in 1994 in restoring utilities and other measures of normalization.

45. However, in recent weeks the significance of Sarajevo as a locus for pressure by the Bosnian Serb party on the Government and on the international community has again come to the fore. That party has closed the airport routes, has in effect closed the airport by refusing to guarantee the security of flights, has resumed shelling of the city, has fired on the Mount Igman road, has violated the anti-sniping agreement and has tightened its control on access to the Government-held areas. For its part, the Bosnian Government has also violated the anti-sniping and Mount Igman agreements, has used UNPROFOR as a shield for offensive and provocative activities and has increasingly applied restrictions on the Force's movement. Both sides have directly targeted UNPROFOR personnel, resulting in fatal casualties. This increased hostility and obstruction of UNPROFOR by both sides has seriously curtailed the Force's operational and logistic capability in the city.

46. If UNPROFOR were in a position unilaterally to reverse the situation in Sarajevo through, for example, reopening the routes across the airport and Mount Igman and forcibly removing the illegal Bosnian Serb checkpoint into the city, it would gladly do so. But, unless substantially reinforced and reconfigured into a combat force, it would not be able to keep the routes open. The same is true of Sarajevo airport. Without the cooperation and consent of the parties, a

very large ground force would be required to enable UNPROFOR to ensure the security of the airport.

47. I remain convinced that the best way to achieve these objectives is for the parties to agree on the demilitarization of the city. My Special Representative has worked hard to attain this goal and has been encouraged by recent reaffirmations by Bosnian Government officials of their continued interest in it. Unfortunately, however, it is evident that there is at this time insufficient trust between the parties for even a step-by-step demilitarization process to begin.

J. Exclusion zones

48. Following the two grave incidents of shelling in Sarajevo in February 1994, I addressed a letter to the Secretary-General of NATO in which I requested him to obtain, at the earliest possible date, a decision by the North Atlantic Council to authorize the Commander-in-Chief of NATO's Southern Command to launch air strikes against artillery or mortar positions in or around Sarajevo that were determined by UNPROFOR to be responsible for attacks against civilian targets in that city. The North Atlantic Council, in its decision of 9 February 1994, decided to establish a "heavy weapons exclusion zone" of 20-kilometre radius around Sarajevo, excluding Pale. On 18 April 1994, faced with an extremely difficult situation in Gorazde, I addressed a similar request to the Secretary-General of NATO in which I asked him to obtain a decision by the North Atlantic Council with respect to the five other safe areas, namely Tuzla, Zepa, Gorazde, Bihac and Srebrenica. The North Atlantic Council's decision for Gorazde was more complex, as explained in detail in my report of 19 May 1994 (S/1994/600). It created two zones around Gorazde: a 3-kilometre-radius "total exclusion zone" and a 20-kilometre-radius "military exclusion zone" within Bosnia and Herzegovina. No exclusion zones were proclaimed around the other safe areas.

49. I welcomed both decisions by the North Atlantic Council as being in accordance with paragraph 10 of Security Council resolution 836 (1993), namely to support UNPROFOR in the performance of its mandate regarding the safe areas. However, there is a certain ambiguity about the use of air power with regard to the exclusion zones around Sarajevo and Gorazde. On the one hand, the Security Council resolutions regarding the safe areas do not refer to the exclusion zones nor do they establish any special regime for those zones. The decisions by the North Atlantic Council, on the other hand, state that certain weapons systems, if found within the 20-kilometre zones after a certain date, will be subject to attack by NATO aircraft. In both places the weapons concerned were either withdrawn or placed in authorized weapons collection points by the dates specified, in accordance with agreements reached with the parties. While the exclusion zones, with the threat of NATO air enforcement, initially proved successful, compliance with them has since been difficult to maintain because of the large area to be covered and the difficult terrain. If either side chooses not to comply with the agreements it has signed, it is easy for it to hide weapons in the zones or to introduce new ones into them.

50. UNPROFOR's mandate as regards the exclusion zones can be summarized as follows:

(a) To monitor the parties' compliance with them;

(b) To control the heavy weapons placed by the parties in designated weapons collection points.

The experience of recent weeks in Sarajevo has shown that this mandate immediately ceases to be viable if the parties fail to honour their commitments. UNPROFOR has found it impossible to prevent the Bosnian Serb side, in particular, from entering the weapons collection points and either withdrawing heavy weapons or firing them from within those sites. By the date of this report, UNPROFOR had lost control of all the weapons collection points in the Sarajevo exclusion zone. It has also become clear that both parties introduced heavy weapons into the exclusion zones after implementation of the agreements of February 1994.

51. As in other cases, the only reliable solution to this problem is the cooperation of the parties and their readiness to respect agreements they have entered into. Enforcement of the exclusion zones can be done only imperfectly from the air. The troops deployed at the weapons collection points, which are within territory controlled by the party that owns the weapons, are vulnerable to detention; nor does UNPROFOR have the means to extricate them in a crisis without the consent of that party. To guarantee complete respect for the zones, it would again be necessary to deploy very large numbers of ground troops with the capability of controlling the more than 1,200 square kilometres covered by each of the 20-kilometre exclusion zones.

K. Security and freedom of movement of UNPROFOR: the use of force

52. Reference has been made in almost all the preceding subsections of the present report to the dangers to which UNPROFOR and other United Nations personnel are exposed and to the essential importance of freedom of movement for the Force. The current mandate requires UNPROFOR to deploy units in many isolated locations that can be resupplied and rotated only by sending convoys through Bosnian Serb-controlled areas. UNPROFOR must also deploy observers, soldiers and civilians in small groups in order to maintain an extensive and flexible liaison and observation network. Although UNPROFOR can protect its personnel to some extent from isolated attacks by uncontrolled elements, its mandate can be performed in relative safety only with the consent and cooperation of all parties.

53. When consent and cooperation are not forthcoming, only limited measures are available to reduce the risks to the Force's personnel, though these all involve ceasing important assigned tasks. Weapons collection points, for example, can be abandoned. UNPROFOR can cease anti-sniping patrols. Larger convoys can be operated, but they will be less frequent and overall delivery rates may be less efficient. Increasing the numbers of personnel deployed at observation posts can improve security to some extent but limits the number of posts that can be

occupied, thus reducing the flexibility and extent of UNPROFOR's observation. To forego interpositioning of troops on the confrontation lines would reduce UNPROFOR's ability to prevent and contain fighting at a local level and its capacity to deter attacks on safe areas.

54. These difficulties have caused the Security Council to take a number of decisions under Chapter VII of the Charter. The first such decision, which related to the security of UNPROFOR personnel, was in resolution 807 (1993) and was repeated in subsequent resolutions on the renewal of UNPROFOR's mandate. Resolution 847 (1993) and those thereafter extended the application of Chapter VII to the Force's freedom of movement.

55. These references to Chapter VII may have created some ambiguity as to how UNPROFOR should react to a threat to its security or an obstruction of its freedom of movement. The use of force is often the appropriate response to an individual incident. It is not generally realized how often UNPROFOR uses its weapons in self-defence. In a recent week, for instance, 3 anti-tank missiles and over 100 shells were fired for this purpose. But a general pre-emptive use of force to ensure security or freedom of movement would lead to an escalation that would make UNPROFOR a party to the conflict and place the lives of personnel in danger. The reality, as recognized in resolution 987 (1995), is that there can be no better protection for UNPROFOR than for the parties themselves to recognize their responsibility for ensuring its security and freedom of movement.

56. There is a more general point to be made regarding the use of force. It will be clear from the foregoing analysis of the Security Council's references to Chapter VII that the Security Council did not initially contemplate an enforcement role for the Force in Bosnia and Herzegovina. Authority for the use of force did not, therefore, go beyond the right of self-defence inherent in any United Nations peace-keeping operation. This was reflected in the level of armament with which troop-contributing countries were asked to equip their contingents and in the arrangements made by the United Nations for the logistic support of the Force. This initial decision reflected a recognition that UNPROFOR's deployment on the ground and the tasks that it was to perform could be achieved only with the consent and cooperation of the parties on the basis of mutually acceptable agreements. Neither the operation of Sarajevo airport nor the delivery of aid over great distances and across confrontation lines nor monitoring, patrolling and reporting could be achieved without the consent and cooperation of the parties; and that consent and cooperation could be assured, in the midst of war, only by strict adherence to the peace-keeping principles of impartiality and transparency.

57. Subsequently the use of air power was authorized not only for the defence of UNPROFOR personnel but also to deter attacks on the safe areas. UNPROFOR has requested NATO to use its air power on nine occasions when my Special Representative has deemed such action necessary and appropriate. In all cases air power was used against Bosnian Serb targets or targets in Serb-controlled parts of Croatia that had been operating in support of the Bosnian Serbs. On 12 March 1994, close air support was requested when UNPROFOR troops came under fire near Bihac but was not implemented because of bad weather. On 10 and 11 April 1994, close air support was provided near Gorazde; this was the first

occasion on which the Bosnian Serb side retaliated with restrictions on UNPROFOR's freedom of movement. On 5 August 1994, air strikes were made against targets in the Sarajevo exclusion zone. On 22 September 1994, an air strike was made near Sarajevo following an attack on an UNPROFOR armoured car. On 21 and 23 November 1994, air strikes were made against Udbina airfield in Croatia, which had been used to launch air attacks in the Bihac safe area, and against surface-to-air missiles in western Bosnia and Herzegovina and in the Krajina region of Croatia that had threatened NATO aircraft. In retaliation, the Bosnian Serbs detained more than 400 UNPROFOR personnel, whose release was not completed until 13 December 1994 after three weeks of hard negotiation. On 25 and 26 May 1995, air strikes were conducted against targets near Pale, as described in section II above.

58. Experience gained as a result of those incidents has confirmed that great difficulties are involved in the use of air power in support of a peace-keeping operation. The wider political and security implications must therefore be taken fully into account when such action is contemplated. Using force against only one party, whether directly or through regional arrangements, alters that party's perception of the neutrality of UNPROFOR, with the risk that its personnel and those of other United Nations agencies come to be identified with the use of force and perceived as a party to the war. Being widely dispersed, they become extremely vulnerable to obstruction, detention and other forms of harassment, as has now been demonstrated on three separate occasions (see preceding paragraph). The party concerned can also react by refusing to participate in dialogue and negotiation when these are most needed. A decision to use air power, therefore, requires careful consideration of all these possible consequences and cannot be based on predetermined or automatic criteria. In addition, the existence of separate commands for the forces on the ground and those in the air heightens the risk that actions undertaken by the latter could have unforeseeable consequences for the former. This is why the "dual-key" procedure developed between UNPROFOR and NATO is of such vital importance.

59. The above views on the use of air power and the use of force more generally have been unanimously held by all the Force Commanders of UNPROFOR. Some troop-contributing Governments that initially favoured, or at least were ready to tolerate the use of air power, now express serious reservations about it in the context of UNPROFOR's current mandate. Opposition to its use has also been expressed by some members of the Security Council.

IV. FUTURE ROLE OF UNPROFOR

60. The analysis in the foregoing section raises the basic question of whether UNPROFOR is to be a peace-keeping operation, conducting itself in accordance with the established principles and practices for such operations, or an enforcement operation.

61. At present the Force's mandate, on a literal reading of the relevant resolutions, is almost entirely peace-keeping. But it also contains some elements of enforcement; and the perception in many quarters is that the disastrous situation in Bosnia and Herzegovina is due to the Force's failure to

enforce the will of the international community rather than being due to the consistent failure of the parties to honour their commitments and cooperate with a Force to which the Council has given a largely peace-keeping mandate.

62. The question of whether UNPROFOR is about peace-keeping or enforcement is not one that can be avoided. As I have written elsewhere, "nothing is more dangerous for a peace-keeping operation than to ask it to use force when its existing composition, armament, logistic support and deployment deny it the capacity to do so. The logic of peace-keeping flows from political and military premises that are quite distinct from those of enforcement; and the dynamics of the latter are incompatible with the political process that peace-keeping is intended to facilitate. To blur the distinction between the two can undermine the viability of the peace-keeping operation and endanger its personnel ... Peace-keeping and the use of force (other than in self-defence) should be seen as alternative techniques and not as adjacent points on a continuum, permitting easy transition from one to the other" (S/1995/1, paras. 35 and 36).

63. It is true that the threat of force has sometimes produced positive results. NATO's readiness to shoot down offending aircraft has on the whole prevented the use of Bosnia and Herzegovina's airspace for combat purposes. The threat of force also helped to establish the Sarajevo heavy weapons exclusion zone in February 1994. But the Bosnian Serb side quickly realized that it had the capacity to make UNPROFOR pay an unacceptably high price if air power was used on its behalf. That capacity was demonstrated after close air support was provided in Gorazde in April 1994, after air strikes on Udbina airfield and on missile sites in Bihac in November 1994 and again after air strikes near Pale on 25 and 26 May 1995. On all these occasions, large numbers of United Nations personnel were taken hostage, further restrictions were placed on the Force's freedom of movement and negotiations were brought to an abrupt halt, except for the lengthy negotiations required to secure release of the hostages. These events demonstrated the perils of crossing the line from peace-keeping to enforcement without first equipping the Force with the manpower, armament, logistic and intelligence capacity and command and control arrangements that would give the necessary credibility to its threat to use force by showing that it had the ability to respond decisively to any hostile reaction.

64. The absence of a clear enforcement mandate in the Council's resolutions on Bosnia and Herzegovina, notwithstanding their frequent references to Chapter VII, and the Council's reluctance to authorize the additional troops that I have judged necessary to enable it to perform even its peace-keeping functions (34,000 for the safe areas, 10,000 for border monitoring), permit one to conclude that the Council's answer to the above question is that, so far, it has wished UNPROFOR to be a peace-keeping operation.

65. If that remains the Council's wish, the consequence is that, like all peace-keeping operations, UNPROFOR will be able to carry out its mandate only if it enjoys, on a continuous basis, the consent and cooperation of the warring parties. Given their lamentable record in this respect, it is important to avoid creating unrealistic expectations of what the Force can achieve. If, as appears to be the case, both of the parties are determined to prosecute the war, the Force's achievements are likely to be rather limited and it may not be cost-effective to maintain in Bosnia and Herzegovina a large military force that can

be made to appear impotent whenever the parties so choose, with consequent damage to the image and credibility of the Organization.

V. OBSERVATIONS

66. UNPROFOR is not, as many of its critics seem to believe, deployed to end the war in Bosnia and Herzegovina; that is a task for the peacemakers, currently led by the members of the "Contact Group", who are supported by the two Co-Chairmen of the Steering Committee of the International Conference on the Former Yugoslavia and by my Special Representative. Nor is it an army that has been sent out to fight on one side in the war, though it is often criticized as if it had failed to prosecute a war effectively. It is, instead, a mission deployed by the Security Council to fulfil three purposes: to alleviate the consequences of the war, notably through helping in the provision of humanitarian aid; to contain the conflict, and mitigate its consequences, by imposing constraints on the belligerents, through the establishment of such arrangements as a "no-fly zone", safe areas and exclusion zones; and to promote the prospects for peace by negotiating local cease-fires and other arrangements, maintaining these where possible and providing support for measures aimed at an overall political settlement. The Force has so far had considerable success in fulfilling these purposes, but they are not an end in themselves. They attempt to produce conditions that will enable the peacemakers to negotiate an overall solution.

67. The parties' readiness to accept UNPROFOR and the constraints it tries to impose on their behaviour depends on how far they perceive it to be promoting a goal that is in their interests. The Force faces two problems in this respect. First, neither party seems to have reached the firm conclusion that it has a better chance of achieving its objectives at the negotiating table than on the battlefield. The result is that UNPROFOR's efforts to reduce the intensity of the conflict can cause it to be seen by the parties as more of a hindrance than a help. Secondly, international efforts to mediate a negotiated solution seem to have come close to a standstill. It is, for instance, more than 16 months since there was a round of negotiations at which all the Bosnian parties were present. None of the options discussed below for adapting the Force's mandate to the realities on the ground will be effective unless there is a real prospect of a negotiated solution in the foreseeable future. It is, therefore, imperative that decisions by the Security Council on the future of UNPROFOR should be accompanied by a relaunching and intensification of the peace process through a significant new initiative, possibly in a new format. The Council may also wish to start reviewing, at regular intervals, progress made in the negotiations and the implications thereof for UNPROFOR.

68. Meanwhile, UNPROFOR remains deployed in a war situation where, after more than three years, there is still no peace to keep. Its position is further complicated by the fact that its original peace-keeping mandate, which cannot be implemented without the cooperation of the parties, has gradually been enlarged to include elements of enforcement, which cause it to be seen as a party to the conflict. The safe-areas mandate, for instance, requires it to cooperate and negotiate daily with a party upon whom it is also expected to call air strikes in certain circumstances. Similarly, the United Nations has imposed sanctions

on one party but at the same time has sent out a Force that is obliged to work with the consent and cooperation of that party. The result is that Bosnian Serb leaders have now largely withdrawn their consent and cooperation from UNPROFOR, declaring that they are applying their own "sanctions" to the United Nations in response to United Nations sanctions on them.

69. As a result of these contradictions, UNPROFOR now finds itself obstructed, targeted by both sides, denied resupply, restricted in its movements, subjected to constant criticism - in short, in a predicament that my Special Representative, the Theatre Force Commander, many of the troop-contributing Governments and I myself no longer consider tolerable. The extent of the predicament has been highlighted by the air strikes of 25 and 26 May 1995 and their aftermath, which are described in section II above. That crisis now makes it necessary to take urgent measures to release the hostages, to adapt UNPROFOR's mandate and its implementation to the political and operational realities on the ground and, as already noted, to relaunch the peace process.

70. I am extremely concerned that so many UNPROFOR personnel have been detained by the Bosnian Serbs. Their earliest possible release is for me an urgent priority, on which I have been in touch with many world leaders and with my Special Representative. As was learnt in previous such incidents in April and November 1994, this objective is best achieved by negotiation. UNPROFOR therefore continues to maintain the closest possible contact with the Bosnian Serbs in order to monitor the location and welfare of all detainees and obtain their release. In consultation with troop contributors and other interested countries, my Special Representative has communicated with President Milosevic. While demanding from Mr. Karadzic the immediate and unconditional release of the detainees, my Special Representative is monitoring closely the attitude of the Bosnian Serbs so that negotiations can be initiated at the first opportunity. I welcome the support that is being given to these efforts by the members of the Contact Group and other interested countries and organizations. ICRC is endeavouring to visit detained UNPROFOR personnel.

71. Since my briefing to the Council on 16 May 1995, the events of 25 and 26 May and their aftermath have, as already noted, made even clearer the untenability of UNPROFOR's current situation and the need to clarify whether its role is peace-keeping or enforcement. The Bosnian Serbs' violation of the Sarajevo exclusion zone, their criminal shelling of civilian targets in Tuzla and elsewhere after a carefully measured NATO air strike on a military target and their inexcusable retaliation against United Nations personnel, including unarmed military observers performing liaison duties in Pale, have violently highlighted the conditions in which UNPROFOR has to operate and the dangers inherent in the inconsistencies of its present mandate.

72. After reflecting on these developments and after further consultations with my Special Representative and the Theatre Force Commander, I have somewhat refined the options that I mentioned to the Council on 16 May and I now present the following four options for the Council's consideration:

Option A: To withdraw UNPROFOR, leaving at the most a small political mission, if that was the wish of the parties;

Option B: To retain UNPROFOR's existing tasks and the methods currently used to implement them;

Option C: To change the existing mandate to permit UNPROFOR to make greater use of force;

Option D: To revise the mandate so that it includes only those tasks that a peace-keeping operation can realistically be expected to perform in the circumstances currently prevailing in Bosnia and Herzegovina.

Recent events have demonstrated that any option which involves the continuing presence of UNPROFOR in Bosnia and Herzegovina will need to be accompanied by measures, including the possible deployment of additional forces, to provide better security both for UNPROFOR personnel and for the personnel of UNHCR and other civilian agencies that work with it.

73. In considering these options, the Council will also wish to take into account the repercussions that any change in UNPROFOR's mandate and/or method of operation could have on the work of UNHCR and other humanitarian agencies in Bosnia and Herzegovina. UNHCR's continued role as lead humanitarian agency in providing humanitarian assistance and protection to refugees, to the displaced and to other persons affected by the conflict, while at the same time preparing for the future repatriation of refugees, could require re-evaluation and possibly renegotiation with the parties, depending on the option chosen by the Council.

74. I do not advocate option A. Recent events have caused some of the Governments contributing troops to UNPROFOR to speak of the possible withdrawal of the Force but none of them has expressed itself in favour of that option if tolerable conditions can be created to permit the Force to continue its operations. I myself took the precaution of writing to the Secretary-General of NATO on 10 February 1995 to ask that NATO prepare plans that would enable it to assist in extricating UNPROFOR from Bosnia and Herzegovina if withdrawal became unavoidable. A precedent for such multinational assistance for the withdrawal of a United Nations peace-keeping operation has been created in Somalia. NATO's planning is now, I understand, close to completion. But withdrawal is an option of last resort. It would be tantamount to abandonment of the people of Bosnia and Herzegovina and an admission of the United Nations inability to help to resolve a war in which, to the world's horror, one ethnic group has used force of arms to try to change the ethnic map of a Member State and all parties have, to a greater or lesser extent, been guilty of attacks against civilians and other atrocities. My purpose in the present report, therefore, is to advise the Council on steps that it could take to ensure that UNPROFOR remains in Bosnia and Herzegovina with a better chance than at present of implementing the mandate entrusted to it by the Council.

75. Nor do I advocate option B. The analyses of UNPROFOR's current mandate in section III above and of its possible future role in section IV above indicate

why I believe that the Force has become a mission impossible. An attempt to maintain the status quo would further reduce its ability to provide effective help on the humanitarian and political fronts and would bring more United Nations casualties and more damage to the Organization's credibility. I am convinced that, if the decisions taken by the Council in response to the present report amounted, deliberately or by default, to maintenance of the status quo, the time would soon come when withdrawal of the Force would become inevitable.

76. Option C would require substantial reinforcement of the Force and a change in its mandate so that it could initiate military action when the consent and cooperation of a party was withheld and ensure the protection of its own personnel and those of UNHCR and other civilian agencies if this led to retaliation and further escalation. This could be a viable option to ensure that the Bosnian Serbs and the other parties to the conflict respect the Security Council's decisions. Some of the Governments contributing troops to UNPROFOR have informed me of national plans to deploy additional forces to reduce the vulnerability of UNPROFOR personnel. I welcome these initiatives. But the Governments concerned have also indicated that they are contemplating additional deployments to strengthen UNPROFOR's capacity to carry out its mission. If their intention is that UNPROFOR should use force for this purpose, I do not believe that this would be appropriate for a peace-keeping operation like UNPROFOR. It would, in my view, be necessary to replace UNPROFOR with a multinational force authorized by the Security Council but under the command of one or more of the countries contributing troops to it, as has been the case in Somalia and Haiti. It will be recalled that, on 24 July 1994, I wrote to the President of the Council to express my concern about the viability of UNPROFOR's operations in Bosnia and Herzegovina if the Contact Group countries were to apply by force what were then referred to as "disincentives" to the Bosnian Serbs. I would have similar concerns if the Council decided that UNPROFOR should implement option C.

77. The reasons for this view have been fully argued in the present report. UNPROFOR's current situation is due to the fact that the Bosnian Serbs' failure to cooperate with the Force has led to the gradual addition to its mandate of tasks that are incompatible with its peace-keeping and humanitarian roles. Option C would take UNPROFOR even further across the line dividing peace-keeping from enforcement action. The resulting threats to its security and to its ability to carry out its peace-keeping and humanitarian mandates might to some extent be mitigated by reinforcing it with additional troops and armament. But there would then be the risk that, as with the United Nations Operation in Somalia, the need to concentrate its personnel in larger groups in secure locations would seriously impair its ability to perform its substantive tasks. Nor do I believe that the United Nations currently has the capacity to manage an operation that could involve combat on a considerable scale if, as I fear to be likely, one or other of the parties were to respond to force with force. With unpaid contributions to the UNPROFOR special account currently amounting to $898 million (nearly 80 per cent of a year's expenditure on the Force), there must also be doubts about whether United Nations procedures could ensure the necessary financial support for an operation on the scale that would probably be required.

78. Under option D, the Council would revise UNPROFOR's mandate so that the Force would be required to perform only those tasks that a peace-keeping operation can reasonably be expected to perform in the circumstances prevailing in Bosnia and Herzegovina. These would include good offices, liaison and negotiation; monitoring cease-fires, etc. as long as the parties remained willing to implement them; maintaining a presence in the safe areas, after negotiating appropriate regimes for them but without any actual or implied commitment to use force to deter attacks against them; operation of Sarajevo airport with the consent of the parties; facilitating the normalization of life in Sarajevo; escorting humanitarian convoys and supporting other humanitarian activities; border monitoring, if accepted by the parties; and the use of force, including air power, only in self-defence.

79. This option would probably require some redeployment and could eventually lead to a reduction in the Force's strength. But in the short term some reinforcement on the lines offered by some contributing Governments would be needed to ensure UNPROFOR's security as it adjusted to the revised mandate. Option D would also reduce the risks to which UNPROFOR personnel are currently exposed in the safe areas, at weapons collection points and elsewhere when air power is used at the Force's request. It would, I believe, give UNPROFOR a realistic mandate that would enable it to help to contain the situation in Bosnia and Herzegovina without creating expectations that it could either enforce an end to the war or join it to fight on the side of one of the parties.

80. I would like to conclude this report with the following personal thoughts. The United Nations is currently experiencing in Bosnia and Herzegovina dramatic events that recall other crises that have afflicted its peace-keeping operations in past decades. The Organization's reaction to these events will again have a decisive effect on its standing for many years to come. These are, truly, defining moments. In dealing with them we must not lose sight of three interconnected objectives, which represent the very essence of the United Nations: the quest for peace, the protection of human life and the rejection of a culture of death. These objectives will take time to attain and they will be attained only through the successful use of non-military methods.

81. In the present crisis, the safety of, and respect for, the personnel of peace-keeping forces and humanitarian agencies must be high priorities. All of us have been troubled by the television pictures of United Nations personnel being humiliated and placed in danger in recent days. I pay tribute to their courage and steadfastness and I express my condolences to the families of those who have given their lives. I also grieve for the civilians who have been killed in Bosnia and Herzegovina. We must not put more lives in jeopardy for the sake of short-term solutions. What is threatened is not only the lives of peace-keepers and humanitarian workers on the ground but also the future ability of the United Nations to conduct effective peace operations.

82. Finally, the credibility of the United Nations is of the utmost importance and must be safeguarded at all times. Few things damage it more than to give United Nations peace-keepers tasks that cannot be accomplished in prevailing circumstances. And the damage is not only to peace-keeping. Loss of United Nations credibility there will affect the Organization's endeavours for development, for the environment, for human rights and for every other important objective. This is another reason why we must always insist on the inviolability of United Nations personnel in peace operations.